Resolution No. 45-17
Re: County-Maintained Grinder Pump Fees
Page 1 of 3

## A RESOLUTION FOR THE PURPOSE OF COUNTY-MAINTAINED GRINDER PUMP FEE

WHEREAS, pursuant to the authority contained in Title 9, Subtitle 5 of the *Environment Article* of the <u>Maryland Annotated Code</u>, the Board of County Commissioners of Calvert County, Maryland (hereinafter, the "Board") has the general powers to adopt and amend a County plan addressing water supply systems and sewerage systems and has heretofore adopted the Calvert County Comprehensive Water and Sewerage Plan, 2011 Update;

WHEREAS, the Board of County Commissioners of Calvert County is authorized by Title 9, Section 723(a) of the *Environment Article* of the <u>Maryland Annotated Code</u> to establish reasonable rates for water services, and reasonable charges for sewer upkeep and sewer service to provide funds for: (1) maintenance, repair and operation of any water or sewerage system;

WHEREAS, the Board of County Commissioners of Calvert County is authorized by Title 9, Section 725 of the *Environmental Article* of the <u>Maryland Annotated Code</u> to charge for the upkeep on sewers shall be: (1) collected annually; and (2) a first lien on any property connected to any sewer pipe the political subdivision owns or supervises;

**WHEREAS**, the Board of County Commissioners of Calvert County is authorized by Title 9, Section 726.1 of the *Environmental Article* of the <u>Maryland Annotated Code</u> to disconnect water service if a bill for sewerage service is unpaid for 45 days after being sent; and

WHEREAS, the Water & Sewer Division informed the Board of County Commissioners that it has been maintaining 182 privately-owned grinder pumps identified in Exhibit A hereto and incorporated herein by reference, which negatively impacts the sewerage rates;

WHEREAS, the Board of County Commissioners has directed staff to inform these customers, which are detailed on Exhibit A, to elect either to continue County grinder pump maintenance and pay a One Hundred Eighty Dollars (\$180.00) per annum maintenance fee; or to maintain their privately-owned grinder pumps and bear no maintenance fee;

WHEREAS, the Water & Sewerage Division holds the right to determine the scope and type of repairs or replacements needed on all grinder pumps for customers who elect to have the County maintain their grinder pump;

WHEREAS, the customer who elect to maintain their privately-owned grinder pumps do not hold the Board of County Commissioners, the Department of Public Works, the Water & Sewerage Division or any other County agency responsible for grinder pump maintenance or repair, or liable for malfunction or failure;

WHEREAS, after due notice was published, the Board of County Commissioners conducted a public hearing on October 17, 2017, at which time the proposed fees were discussed, staff's recommendations were considered, and public comment was solicited; and

WHEREAS, after considering the evidence which had been presented at the public hearing regarding the proposed fee, and in furtherance of the public health, safety and welfare, the Board of County Commissioners of Calvert County, Maryland determined it is in the best interest of the citizens of the County to surrender operation, control and maintenance of sewage ejector pumps identified in Appendix A hereto to the owner of the property upon which the pump is located effective July 1, 2018.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Calvert County, Maryland, that the County surrender operation, control and maintenance of sewage ejector pumps identified in Appendix A hereto, and incorporated herein by reference, to the owner of the property upon which the pump is located beginning July 1, 2018;

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall otherwise remain in full force and effect;

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of the Resolution is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provisions, and that the remainder of the Resolution shall be enforceable and valid; and

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that this enactment shall be effective upon adoption and publication of a fair summary.

**DONE**, this 31<sup>st</sup> day of October, 2017, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: <u>3</u>	-
Nay: 2 - Hart and Weems	
Absent/Abstain:	
ATTEST:	BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND
Maureen L. Frederick, Clerk	Tom Hejl, President
Approved for form and legal sufficiency by:  John B. Norris, III, County Attorney	Evan K. Slaughenhopt Jr., Vice President  Mike Hart
Received for Record	Pat Nutter
A A A A A A A A A A A A A A A A A A A	Steven R. Weems

y r. xmith

## EXHIBIT A - LIST OF COUNTY MAINTAINED GRINDER PUMPS

9358 Greenwood Avenue	Barnes	262 Bay Avenue	Barnes
3842 11th Street	Barnes	270 Bay Avenue	Barnes
	Barnes		Barnes
9402 Greenwood Avenue 3841 12th Street	Barnes	310 Bay Avenue 320 Bay Avenue	Barnes
3848 10th Street			Barnes
3848 10th Street	Barnes	333 Bay Avenue	
		334 Bay Avenue	Barnes
		250 Cheaspeake Avenue	Barne:
		270 Chesapeake Avenue	Barne:
		271 Chesapeake Avenue	Barne.
		280 Chesapeake Avenue	Barne.
		281 Chesapeake Avenue	Barne
		290 Chesapeake Avenue	Barne
		291 Chesapeake Avenue	Barne
		295 Chesapeake Avenue	Barne
		314 Chesapeake Avenue	Barne:
		315 Chesapeake Avenue	Barne
		320 Chesapeake Avenue	Barne.
		321 Chesapeake Avenue	Barne
		325 Chesapeake Avenue	Barne
		331 Chesapeake Avenue	Barne.
		4605 Cummins Avenue	Barne
		4705 Cummins Avenue	Barne
		172 Dares Wharf Road	Barne.
		250 Dresser Avenue	Barne.
		260 Dresser Avenue	Barne
		282 Dresser Avenue	Barne
		292 Dresser Avenue	Barne
		304 Dresser Avenue	Barne.
		332 Dresser Avenue	Barne
		312 Dresser Avenue	Barne
		322 Dresser Avenue	Barne
	7 7 7 7 7	290 Shannon Avenue	Barne
		330 Shannon Avenue	Barne
	_	265 West Avenue	Barne.
	_	273 West Avenue	Barne
	_	281 West Avenue	Barne
	_	282 West Avenue	Barne
	_	291 West Avenue	Barne
	_	292 West Avenue	Barne
	_	295 West Avenue	Barne
	_	302 West Avenue	Barne
		303 West Avenue	Barne
	_	304 West Avenue	Barne
	_	309 West Avenue	Barne
	_	310 West Avenue	Barne
		311 West Avenue	Barne
	_	321 West Avenue	Barne
TOTAL		4590 Virginia Avenue	Barnes

15 Sammy's Place	Environment One
295 Swagger's Point Road	Environment One
268 Swagger's Point Road	Environment One
260 Swagger's Point Road	Environment One
13650 Kersey Way	Environment One
13750 Solomons Island Road	Environment One
13840 Solomons Island Road	Environment One
255 Alexander Street (duplex-2 pumps)	Environment One
121 Newtown Road	Environment One
13413 Lore Pines Lane	Environment One
13417 Lore Pines Lane	Environment One
13421 Lore Pines Lane	Environment One
13425 Lore Pines Lane	Environment One
13426 Lore Pines Lane	Environment One
13429 Lore Pines Lane	Environment One
13433 Lore Pines Lane	Environment One
13449 Lore Pines Lane	Environment One
13453 Lore Pines Lane	Environment One
13457 Lore Pines Lane	Environment One
13461 Lore Pines Lane	Environment One
13465 Lore Pines Lane	Environment One
13469 Lore Pines Lane	Environment One
13477 Lore Pines Lane	Environment One
13481 Lore Pines Lane	Environment One
13485 Lore Pines Lane	Environment One
13484 Lore Pines Lane	Environment One
13472 Lore Pines Lane	Environment One
13464 Lore Pines Lane	Environment One
13460 Lore Pines Lane	Environment One
13456 Lore Pines Lane	Environment One
13452 Lore Pines Lane	Environment One
13448 Lore Pines Lane	Environment One
13442 Lore Pines Lane	Environment One
200 Pelagic Lane	Environment One
201 Pelagic Lane	Environment One
204 Pelagic Lane	Environment One
205 Pelagic Lane	Environment One
221 Pelagic Lane	Environment One
170 Bamboushay Lane	Environment One
160 Bamboushay Lane	Environment One
205 Newtown Road	Environment One
13425 Dowell Road	Environment One
13479 Dowell Road	Environment One
40 Hamit Road	Environment One
25 Hamit Road	Environment One
15 Hamit Road	Environment One
10 Hamit Road	Environment One
13915 Dowell Road	Environment One
14500 Dowell Road (bath house)	Environment One

**SOUTHERN AREA:** 

20 Bean Road	Environment One
30 Bean Road	Environment One
40 Bean Road	Environment One
50 Bean Road	Environment One
530 Hutchins Road	Environment One
546 Hutchins Road	Environment One
615 Hutchins Road	Environment One
625 Hutchins Road	Environment One
510 Ward Road	Environment One
567 Ward Road	Environment One
585 Ward Road	Environment One
595 Ward Road	Environment One
610 Ward Road	Environment One
615 Ward Road	Environment One
620 Ward Road (boat yard)	Environment One
510 Rolling Hills Road	Environment One
520 Rolling Hills Road	Environment One
525 Rolling Hills Road	Environment One
535 Rolling Hills Road	Environment One
550 Rolling Hills Road	Environment One
558 Rolling Hills Road	Environment One
560 Rolling Hills Road	Environment One
580 Rolling Hills Road	Environment One
590 Rolling Hills Road	Environment One
600 Rolling Hills Road	Environment One
610 Rolling Hills Road	Environment One
620 Rolling Hills Road	Environment One
630 Rolling Hills Road	Environment One
595 Twin Cove Lane	Environment One
601 Twin Cove Lane	Environment One
607 Twin Cove Lane	Environment One
609 Twin Cove Lane	Environment One
611 Twin Cove Lane	Environment One
13620 Dowell Road	Environment One
13630 Dowell Road	Environment One
13640 Dowell Road	Environment One
13896 Dowell Road	
	Environment One
965 Appel Lane	Environment One
975 Appel Lane	Environment One
980 Appel Lane	Environment One
985 Appel Lane	Environment One
990 Appel Lane	Environment One
995 Appel Lane	Environment One
997 Appel Lane	Environment One
970 Curtis Road	Environment One Environment One
976 Curtis Road	

**SOUTHERN AREA:** 

272 Swaggers Point Road	Vortex V-1000 (E One Retrofit)
13620 Kersey Way	Vortex V-1000 (E One Retrofit)
13445 Lore Pines Lane	Vortex V-1000 (E One Retrofit)
13468 Lore Pines Lane	Vortex V-1000 (E One Retrofit)
13473 Lore Pines Lane	Vortex V-1000 (E One Retrofit)
13478 Lore Pines Lane	Vortex V-1000 (E One Retrofit)
208 Pelagic Lane	Vortex V-1000 (E One Retrofit)
209 Pelagic Lane	Vortex V-1000 (E One Retrofit)
212 Pelagic Lane	Vortex V-1000 (E One Retrofit)
213 Pelagic Lane	Vortex V-1000 (E One Retrofit)
216 Pelagic Lane	Vortex V-1000 (£ One Retrofit)
217 Pelagic Lane	Vortex V-1000 (E One Retrofit)
225 Newtown Road	Vortex V-1000 (E One Retrofit)
30 Back Creek Road	Vortex V-1000 (E One Retrofit)
40 Bean Road	Vortex V-1000 (E One Retrofit)
540 Hutchins Road	Vortex V-1000 (E One Retrofit)
540 Rolling Hills Road	Vortex V-1000 (E One Retrofit)
568 Rolling Hills Road	Vortex V-1000 (E One Retrofit)
635 Rolling Hills Road	Vortex V-1000 (E One Retrofit)
970 Appel Lane	Vortex V-1000 (E One Retrofit)
969 Curtis Road	Vortex V-1000 (E One Retrofit)
975 Curtis Road	Vortex V-1000 (E One Retrofit)
982 Curtis Road	Vortex V-1000 (E One Retrofit)
13320 Dowell Road (Anne Marie Gardens)	Vortex V-1000 (E One Retrofit)
1355 Back Creek Road (duplex-2 pumps)	Vortex V-2000
13630 Kersey Way	Vortex V-2000
13441 Lore Pines Lane	Vortex V-2000
178 Bamboushay Lane	Vortex V-2000
182 Bamboushay Lane	Vortex V-2000
186 Bamboushay Lane	Vortex V-2000
30 Ward Road	Vortex V-2000
570 Rolling Hills Road	Vortex V-2000
959 Curtis Road	Vortex V-2000

